

2152

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Royan H. Bartley et al. : Date: October 12, 2004  
Group Art Unit: 2152 : IBM Corporation  
Examiner: Unassigned : Intellectual Property Law  
Serial No.: 09/892,424 : Dept. 917, Bldg. 006-1  
Filed: June 27, 2001 : 3605 Highway 52 North  
Title: APPARATUS, METHOD, AND BUSINESS : Rochester, MN 55901  
METHOD FOR ENABLING CUSTOMER  
ACCESS TO COMPUTER SYSTEM  
PERFORMANCE DATA IN EXCHANGE  
FOR SHARING THE PERFORMANCE  
DATA

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OCT 20 2004

Technology Center 2100

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants request that the information listed on the attached Form PTO/SB/08A be considered by the Office during the pendency of the above entitled application, pursuant to 37 C.F.R. §1.97. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not constitute an admission that any information cited therein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b). In the interest of full and complete disclosure to the Office, some or all of the art cited herein may not be considered by Applicant(s) or the Undersigned to be material under the new standard of materiality defined in 37 C.F.R. §1.56(b), enacted March 16, 1992, but may be material under the old standard of materiality defined in 37 C.F.R. §1.56(a), last amended on November 28, 1988, or may merely be

Serial No. 09/892,424  
Docket No. ROC920000298US1

technical background which may be of interest to the Examiner. In accordance with 37 C.F.R. §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

To the best knowledge of the undersigned, this Information Disclosure Statement is being filed under 37 C.F.R. §1.97(b)(3) before the mailing of a first Office action on the merits in the present application. Accordingly no filing fee is required.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

October 12, 2004

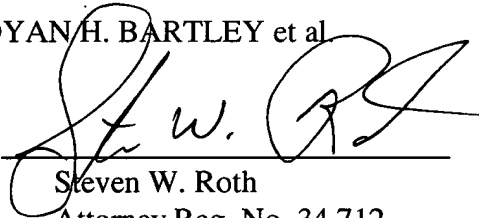
(Date of Deposit)

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Respectfully submitted,

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PTO/SB/08A



# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

Sheet 1 of 1

Application Number.: 09/892,424  
 Filing Date: June 27, 2001  
 First Named Inventor: Royan H. Bartley  
 Art Unit: 2152  
 Examiner Name: Unassigned  
 Attorney Docket Number.: ROC920000298US1

## **U.S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | <u>Document Number</u><br>Number - Kind Code <sup>2</sup><br>(if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited<br>Document | Pages, Columns<br>or Lines Where<br>Relevant Passages<br>or Figs. Appear |
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|                    |                       | US - 5,845,077  | 12-01-1998                     | Fawcett   |  |
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## **FOREIGN PATENT DOCUMENTS**

| Examiner Initials | Cite No. <sup>1</sup> | <u>Foreign Patent Document</u><br>Country <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup><br>Code (if known) | Publication Date<br>MM-DD-YYYY | Name of<br>Patentee or<br>Applicant of<br>Cited<br>Document | Pages, Columns<br>or Lines Where<br>Relevant<br>Passages or Figs.<br>Appear | T <sup>6</sup> |
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| Examiner Signature |  | Date Considered |  |
|--------------------|--|-----------------|--|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

<sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language translation is attached.